

Name Phoenix R. Cavalier  
Address P.O. Box 81  
Roundup MT, 59072  
Telephone No. 317-313-8215

**ORIGINAL**  
May 25 2010  
Ed Smith  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. \_\_\_\_\_

Phoenix R. Cavalier

APPELLANT

(designation of party),

v.

MOTION AND AFFIDAVIT IN SUPPORT  
OF MOTION TO PROCEED ON APPEAL  
WITHOUT PAYMENT OF FILING FEE

Timothy R. Osman and David Keone,  
(designation of party). APPELLEE

I move this Court to proceed without payment of the filing fee in this cause,  
and I submit this Affidavit in support of my motion.

I, Phoenix R. Cavalier, (state your name) being first duly sworn, depose and  
say that I am the Appellant (designation of party) in the above-  
entitled cause; that in support of my application to proceed on appeal without  
being required to pay the filing fee, I state that because of my financial condition I  
am unable to pay the filing fee; that I believe I am entitled to redress; and that the  
issues which I desire to present on appeal are the following:

UNLAWFUL VERDICT

ORIGINAL

I further swear that the responses which I have made to the questions and instructions below relating to my ability to pay the cost of prosecuting the appeal are true.

1. Are you presently employed? NO

a. If the answer is yes, state the amount of your salary or wages per month and give the name and address of your employer.

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b. If the answer is no, state the date of your last employment and the amount of the salary and wages per month which you received.

JAN. 31, 2010  
Per Month : 3,200.00

2. Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, or other source? If the answer is yes, describe each source of income, and state the amount received from each during the past 12 months.

Yes. Work as a freelance writer.  
Amount Recieved: Varies by project from \$300.00 to \$900.00

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3. Do you own any cash or checking or savings account? If the answer is yes, state the total value of the items owned.

Yes, total value: \$142.00

4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? If the answer is yes, describe the property and state its approximate value.

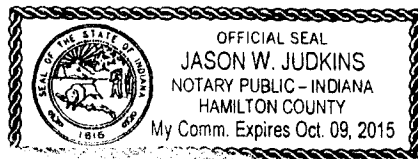
Property: \$30,000 value, not paid off.

5. List the persons who are dependent upon you for support and state your relationship to those persons.

I understand that a false statement or answer to any question in this affidavit will subject me to penalties for perjury.

[Signature] "ALL RIGHTS RESERVED"

Subscribed and sworn to before me this 19 day of May, 2010.



SEAL

[Signature]  
Notary Public for the State of ~~Montana~~ Indiana

Residing at Hamilton County

My Commission expires Oct. 09, 2015

